

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

JULIUS DAVIS,	:	
	:	
Petitioner,	:	Civ. No. 18-4260 (FLW)
	:	
v.	:	
	:	
GEORGE ROBINSON et al.,	:	<b>MEMORANDUM OPINION</b>
	:	
Respondents.	:	
	:	

**FREDA L. WOLFSON, U.S.D.J.**

Petitioner, Julius Davis (“Petitioner”), a state prisoner, filed *pro se* with the Court a Petition for writ of habeas corpus, under 28 U.S.C. § 2254. (ECF No. 1.) A habeas petition must include either a \$5.00 filing fee or an application to proceed *in forma pauperis*. 28 U.S.C. §§ 1914(a), 1915(a); Rules Governing § 2254 Cases, Rule 3, 28 U.S.C.A. foll. § 2254.

Petitioner’s filing did not include either the \$5.00 fee or a proper application to proceed *in forma pauperis*.<sup>1</sup> Therefore, the application will be denied without prejudice. Accordingly, the Clerk of the Court will be ordered to administratively close the proceeding. Petitioner may reopen this proceeding, however, by either paying the filing fee or submitting a complete *in forma pauperis* application.

DATED: April 6, 2018

/s/ Freda L. Wolfson  
FREDA L. WOLFSON  
United States District Judge

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<sup>1</sup> A prisoner who seeks to proceed *in forma pauperis* in a habeas proceeding must submit (1) a completed affidavit of poverty showing that the prisoner is unable to pay the applicable filing fee and (2) a certification signed by an authorized officer of the institution certifying the amount presently on deposit in the prisoner’s prison account and the greatest amount on deposit in the prison account during the six-month period immediately preceding the filing of the petition. *See* L. Civ. R. 81.2(b).